

In The Federal District Court
Of Pennsylvania, Western District

Douglas B. Leuschen

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case # 05-157 E

Commonwealth of Pennsylvania, et al,

Reply to Commonwealth's Answer
To Petition For Writ of Habeas Corpus

Comes now the petitioner, Douglas B. Leuschen, pro-se, before the honorable federal district court in the above styled case and files "Reply" to the Respondent, Commonwealth of Pennsylvania's Answer to Petition for Writ of Habeas Corpus, § 2254, and so states his reply herein:

Respectfully Submitted By
Douglas B. Leuschen #07475068
F.C.I. McKean, P.O. Box 8000
Bradford, Pa. 16701
8-31-05

1. Respondent filed their "Answer to Petition For Writ of Habeas Corpus" on August 8, 2005, to the court electronically, and August 15, 2005, upon the petitioner, 5 days late. The court order stated they must file before August 10, 2005.
2. Respondent's "Answer...", misrepresents and misleads the court in facts, history, and chronology trying to establish petitioner's untimely, improper, meritless appeals by competent defense counsel, in a flawless process. Petitioner refutes their assertion of facts and demands they set forth with specificity and certify their assertions so he may put an end to this charade in a parade of clowns.
3. Petitioner states Respondent was directed to file transcripts and Court Records with their "Answer to Petition For Writ of Habeas Corpus, as set forth in Rule 5 Governing Section 2254 Cases. Respondent did not provide these records.
4. Petitioner filed a Motion For Production of Records with his Petition For Writ of Habeas Corpus. The court has not answered this Motion, and no records were recieved by petitioner from Respondent.

5. Petitioner is unable to respond to the Commonwealth's Answer to Petition for Writ of Habeas Corpus Section 2257 because Respondent has failed to comply with Rules Governing Habeas Corpus Section 2257 Rule # 5. Respondent has not provided copies of appeals filed, Briefs, Replies, Opinions and orders of the court.

Respectfully Submitted By:
Douglas B. Leuschen #07475068
8-31-05

Affidavit

I, Douglas B. Leuschen, do hereby certify that the foregoing Reply to Respondent's Answer to Petition for Writ of Habeas Corpus 2257 is true and accurate to the best of my knowledge information and belief and so state in accordance with 28 U.S.C., Section 1746.

Douglas B. Leuschen
8-31-05

F.C.I. McKean
P.O. Box 8000
Bradford, Pa. 16701

Certificate of Service

I, Douglas B. Leuachon, do hereby certify that a true copy of Reply to Respondent's Answer has been sent this 31 day of August 2005 to the following parties by first class mail.

(Douglas B. Leuachon #07475068

- 1.) Erie C.D.A.
Bradley Faulk
140 W 6TH St.
Erie, Pa. 16501
- 2.) Pa. Governor Edward Rendell
225 Main Capitol
Harrisburg, Pa. 17120
- 3.) Pa Atty General
Gerald Pappert
16TH FL Strawberry Square
Harrisburg, Pa. 17120
- 4.) Clerk Fed. Dist. Court W.D. Pa.
227 U.S. Courthouse
P.O. Box 1820
Erie, Pa. 16507
- 5.) Warden James Sherman
F.C.I. McKean
P.O. Box 8000
Bradford, Pa. 16701

Douglas B. Luschen #07475068

F.C.I. McKean

P.O. Box 8000

Bradford, Pa 16701

8-31-05

To: Clerk

Federal District Court W.D.Pa. Erie

Please find enclosed my Reply to the
Respondent's Answer to Petition for Writ of
Habeas Corpus 2254, affidavit and Certificate
of Service, 3 Copies, (Originals).

Would you please time stamp one copy
and return it to me for my records. Thank you!

Respectfully

Douglas B. Luschen

8-31-05